

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

DANIEL GARRETT,

Plaintiff,

VS.

THOMAS AMMONS, Warden, and
GARLAND HUNT,

Defendants.

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1 : 07-CV-175 (WLS)

RECOMMENDATION

Presently pending in this *pro se* prisoner 42 U.S.C. § 1983 action are plaintiff's motions for default judgment (docs. 11 and 14).

Plaintiff filed this action on September 7, 2007. On September 26, 2007, the undersigned ordered that defendants be served with the complaint. Defendants timely filed their Waiver of Reply on October 24, 2007, well within the time limit. Therefore, plaintiff's motions for default judgment are not appropriate. Consequently, it is the RECOMMENDATION of the undersigned that plaintiff's motions for default judgment be **DENIED**.

Pursuant to 28 U.S.C. § 636(b)(1), the parties may file written objections to this recommendation with the Honorable W. Louis Sands, United States District Judge, WITHIN TEN (10) DAYS of receipt thereof.

SO RECOMMENDED, this 6th day of August, 2008.

//S Richard L. Hodge

RICHARD L. HODGE

UNITED STATES MAGISTRATE JUDGE

msd